


**AFFIDAVIT OF
JAMES C. COOK**

1. My name is James C. Cook and I am a General Partner of the Complainant in Docket No.: 2008-360-S, Happy Rabbit, a South Carolina Limited Partnership, the Owner of Windridge Townhomes, the property located at 3300 Kay Street, Columbia, Richland County, South Carolina, known as “Windridge Townhomes”.

2. I have reviewed the contents of Happy Rabbit's Request for Supersedeas Order and Memorandum in Support of Happy Rabbit's Request for Supersedeas Order and I support the contents thereof, and I allege that the facts and argument contained therein, in both documents, fully support Happy Rabbit's Request for a Supersedeas Order.

3. When this dispute began, I caused to be opened a bank account at Carolina First Bank in Columbia, South Carolina, denominated for monthly deposits equal to the monthly sewer charges from Alpine. I have caused, each and every month, deposits in an amount equal to the monthly sewer charge from Alpine through and including the month of October 2009. Because I have opened and maintained this Escrow Account, no Bond should be required of Happy Rabbit.

4. I submit that, if this Commission fails to grant Happy Rabbit's Request for Supersedeas Order, such failure will serve to moot Happy Rabbit's Appeal, Happy Rabbit will be irreparably harmed and a miscarriage of justice will occur, given that I believe that Happy Rabbit has a great likelihood of success in its Appeal.


JAMES C. COOK, on behalf of
Happy Rabbit, LP and Windridge Townhomes

(SEAL)

My commission expires: 2/17/2019

BEFORE
THE PUBLIC SERVICE COMMISSION
OF SOUTH CAROLINA
DOCKET NO. 2008-360-S

IN RE:)
Happy Rabbit, LP)
on Behalf of Windridge Townhomes,)
)
Complainant,)
)
v.)
)
Alpine Utilities, Incorporated,)
)
Respondent.)

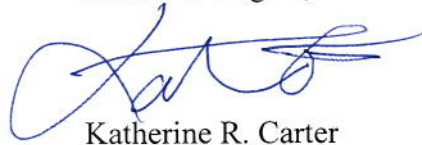
CERTIFICATE OF SERVICE

I, Katherine R. Carter, an employee of Austin & Rogers, P.A., certify that I mailed a copy of Complainant's Memorandum in Support of its Request for Supersedeas Order and Certificate of Service in the above referenced matter as indicated below, via U.S. Mails as addressed below, with proper postage affixed thereto, or e-mail on October 9, 2009.

Attorney John M. S. Hoefer
Willoughby and Hoefer
930 Richland St
Columbia, SC 29201
Via U.S. Mails and Email

Nanette S. Edwards, Esquire
nsedwar@regstaff.sc.gov
Via email

Austin & Rogers, P.A.


Katherine R. Carter

Columbia, South Carolina
October 9, 2009